

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CORPORAL B. KURT PRICE, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	C.A.No.04-956-GMS
	:	
COLONEL L. AARON CHAFFINCH, et al.,	:	
	:	
Defendants.	:	

SERGEANT CHRISTOPHER D. FORAKER,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A.No.04-1207-GMS
	:	
COLONEL L. AARON CHAFFINCH, et al.,	:	
	:	
Defendants.	:	

**SECOND STIPULATION AND ORDER REGARDING A SHORT EXTENSION OF THE
CASE DISPOSITIVE MOTION DEADLINE**

WHEREAS, on February 11, 2005, the Court entered its Rule 16 Scheduling Order, setting, January 13, 2006 as the deadline for all case dispositive motions.

WHEREAS, on December 12, 2005, the Court granted the parties a short extension of this deadline until January 23, 2006 to allow the parties to incorporate recently produced discovery documents into their case dispositive motions.

WHEREAS, plaintiff's counsel Stephen J. Neuberger has been handling all summary judgment briefing for the plaintiffs in these cases and in the case of Conley v. Chaffinch, et al.,

C.A.No. 04-1394-GMS (D.Del.), which also is presently in the midst of summary judgment briefing.

WHEREAS, plaintiff's counsel has been ill for the last 10 days which has complicated his professional obligations in this regard.

WHEREAS, defense counsel also are currently in the midst of heavy briefing in these cases.

WHEREAS, a short, two day extension of the case dispositive motion deadline until January 25, 2006 would enable the parties to wrap up the briefing in these cases and allow plaintiff's counsel to complete briefing without causing a relapse in his illness.

It is hereby STIPULATED and AGREED by and between plaintiffs and defendants, subject to the approval of the Court, that:

1. The case dispositive motion deadline set forth in ¶ 7 of the Court's February 11, 2005 Rule 16 Scheduling Order is hereby amended, and all such motions, briefs and appendices shall be served and filed on or before January 25, 2006.

THE NEUBERGER FIRM, P.A.

/s/ Stephen J. Neuberger

THOMAS S. NEUBERGER, ESQ. (#243)
STEPHEN J. NEUBERGER, ESQ. (#4440)

Two East Seventh Street, Suite 302

Wilmington, DE 19801

(302) 655-0582

TSN@NeubergerLaw.com

SJN@NeubergerLaw.com

Attorneys for Plaintiff

Dated: January 17, 2006

**MONTGOMERY, MCCrackEN,
WALKER & RHOADS, LLP**

/s/ Richard M. Donaldson

RICHARD M. DONALDSON, ESQ. (#4367)
NOEL C. BURNHAM, ESQ. (#3483)

300 Delaware Avenue, Suite 750

Wilmington, DE 19801

(302) 504-7800

rdonaldson@mmwr.com

EDWARD T. ELLIS, ESQ.
ROBERT J. FITZGERALD, ESQ.
**MONTGOMERY, MCCrackEN,
WALKER & RHOADS, LLP**

123 South Broad Street

Philadelphia, PA 19109

eellis@mmwr.com

rfitzgerald@mmwr.com

Attorneys for Defendants

Dated: January 17, 2006

IT IS SO ORDERED this _____ day of _____, 2006.

THE HONORABLE GREGORY M. SLEET